

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JESSE F. SWARTZ, JR., a.k.a. FRANKLIN
H. WRIGHT,

Plaintiff,

v.

ORACLE CORPORATION,

Defendant.

Case No. 22-mc-80257 CW

**ORDER RETURNING
COMPLAINT TO PLAINTIFF**

(Re: Dkt. No. 1)

Plaintiff Jesse F. Swartz, a.k.a. Franklin H. Wright (hereinafter Swartz/Wright), seeks to file a complaint in the above-captioned miscellaneous action. On June 13, 2016, the Court issued a pre-filing order regarding cases filed by Franklin H. Wright, a.k.a. Jesse Swartz. *See* Case No. 16-cv-00505, Docket No. 27. The pre-filing order states that, if Swartz/Wright seeks to file an action that is related to certain subject matters or legal theories, “it will not be filed unless it presents cognizable claims.” *Id.* at 2. The subject matters or legal theories are:

- (1) Violation of some duty owed;
- (2) Mention of the Federal Tort Claims Act or attachment of Federal Tort Claims Act “claim letters”;
- (3) Other cases previously filed in federal courts;
- (4) Requests to compel any defendant to answer questions, perform investigations or evaluate policy proposals;
- (5) “Obstruction” of Swartz/Wright’s legal process; or

1 (6) Conspiracies to “train” Swartz/Wright.

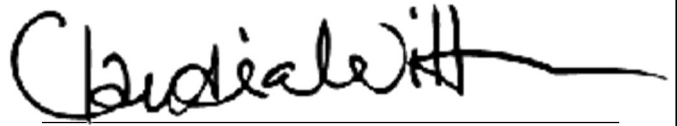
2 *Id.* at 1-2.

3 According to the complaint that Swartz/Wright seeks to file, he seeks to assert claims for
4 defamation, destruction of personal property, and “a civil claim for violating the R.I.C.O. Act”
5 against Defendant Oracle Corporation. *See generally* Docket No. 1. Swartz/Wright alleges that,
6 while he worked at Oracle, he was “entrapped, framed, harassed and obstructed,” and defamed, by
7 people who worked at Oracle. *See id.* at 5-6. In the complaint he seeks to file, Swartz/Wright
8 mentions multiple other federal actions that he previously filed and his theory of liability appears
9 to be based, at least in part, on those cases. *See id.* at 7. Because the complaint that
10 Swartz/Wright seeks to file relates to at least one of the subject matters mentioned in the pre-filing
11 order, the complaint may not be filed unless it presents cognizable claims.

12 The Court has reviewed the complaint that Swartz/Wright seeks to file. The complaint
13 presents no cognizable claims. Accordingly, the Clerk of the Court is ordered not to file it. The
14 complaint shall be returned to Swartz/Wright. No further filing shall be entertained in this
15 miscellaneous action. The Clerk shall terminate this miscellaneous action.

16 IT IS SO ORDERED.

17 Dated: 10/6/2022



18 CLAUDIA WILKEN
19 United States District Judge
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